



City of Carmel

CARMEL PLAN COMMISSION

February 20, 2007

Memorandum of Meeting

Members present: Leo Dierckman, Jay Dorman, Wayne Haney, Kevin Heber, Brian Mayo, Rick Ripma, Carol Schleif, Sally Shapiro, Steve Stromquist, Madeleine Torres, and Susan Westermeier, thereby establishing a quorum.

The Minutes of the January 16, 2007 meeting were approved as submitted.

Legal Counsel Report, John Molitor: Nothing at this time

Announcements, Matt Griffin: **Docket 06010008 Z, Mid-Town Village PUD** has been **withdrawn** and will not appear on any subsequent Agendas. Regarding Item 2H, Sunrise of Carmel, the petitioner has made notice for a zoning waiver that meets the 10-day requirement for State, but does not meet the Rules of Procedure 25-day requirement; therefore a suspension of the Rules will be required. Item 3H—the Trillium Rezone, notice met the date and time requirement but not the type of Notice Requirement for Certified Mail. If this were heard tonight, it would require a suspension of the Rules of Procedure to allow for the type of notice as opposed to certified mailing as specified in the Rules.

Leo Dierckman reported that two Dockets were referred to the Plan Commission this evening at the Special Studies Committee and do not appear on the Agenda; those Dockets are Red Robin Michigan Road, 06090029 DP/ADLS, and Armstrong Rezone, 06120004 Z. Those two items will be heard as Old Business this evening.

H. Public Hearings:

1H. Docket No. 07010008 Z: 116th & Guilford Rezone

The applicant seeks to rezone approximately 9.5 acres from I-1/Industrial to the R-1/Residence District Zoning Classification.

The site is located at 1441 S. Guilford.

Filed by the Carmel Dept. of Community Services.

Present for Petitioner: Mike Holllibaugh, Director of Community Services, City of Carmel.

Public Remonstrance/Unfavorable:

William Wendling, attorney, Campbell, Kyle, Proffitt, 11595 North Meridian Street, Suite 701, Carmel representing Duke Energy, owner of the property—currently listed for sale.

Disposition: Forwarded to Subdivision Committee on March 6, 2007 at 6:00 PM in the Caucus Rooms of City Hall, Carmel.

2H. Docket No. 07010009 DP/ADLS: Sunrise of Carmel

The applicant seeks to construct a 4-story, 150,802 square foot independent and assisted living facility on 4.10 acres.

The site is located at the northeast corner of Old Meridian Street and US 31, and is zoned B6 within the US 31 Overlay.

Filed by Mary Solada of Bingham McHale LLP for Sunrise Development, Inc.

Rick Ripma made formal motion to suspend the Rules of Procedure in order to hear Docket No. 07020006 Zoning Waiver to request an increase in the floor area ratio maximum for the US 31 Overlay for Sunrise of Carmel, seconded by Madeleine Torres, Approved 11-0.

Docket No. 07020006 Zoning Waiver: Sunrise of Carmel

The applicant seeks a waiver to increase the Floor Area Ratio from 0.70 to 0.84, a 20% increase, in the construction of a 4-story continuing care facility with underground parking.

Present for Petitioner: Mary Solada, attorney, Bingham McHale LLP, Tim Hedges and Ashton Fritz, Schneider Corporation, Otis Avenue, Indianapolis 46216. Also present: Peter Fulstra, owner of the subject site.

Matt Griffin reported that an inquiry of concern regarding the height of Sunrise of Carmel was received from Jeff Brown of Schahet Hotels, owner of the Hampton Inn. The B-6 zone under the US 31 Overlay is afforded a height increase to 150 feet, approximately 12 stories—the Hampton Inn is within the B-3 zone and is regulated with a 35-foot maximum height restriction.

No Public Remonstrance

Disposition: Referred to the Special Studies Committee on March 6, 2007 at 6:00 PM in the Caucus Rooms of City Hall.

3H. Docket No. 06100023 Z: 2555 W 131st Street (Trillium)

The applicant seeks a change in zoning from S1 to R2.

The site is located at 2555 W 131st Street and is zoned S1.

Filed by E. Davis Coots of Coots, Henke, & Wheeler PC for Adams and Marshall.

Present for Petitioner: E. Davis Coots, attorney, Coots, Henke & Wheeler.

The method of mailing to the adjacent property owners is in question and the Commission would have to waive the Rules of Procedure in order to hear this item this evening.

Jay Dorman made formal motion to suspend the Rules of Procedure and proceed with the public hearing of this item tonight, seconded by Sue Westermeier. Motion Unanimously Denied.

Disposition: Docket No. 061-00023 Z, 2555 West 131st Street (Trillium) was Continued until clarification and determination could be made regarding the method of mailing.

I. Old Business

1I. Docket No. 06010008 Z: Midtown Village PUD – WITHDRAWN

The applicant seeks to rezone 18.82 acres from I1/Industrail to PUD for the purpose of creating mixed use development.

The site is located at 510 Third Avenue SW and is zoned I1/Industrial.

Filed by Lawrence Kemper of Nelson and Frankenberger for Centex Homes.

2I. Docket No. 06090029 DP/ADLS: Red Robin Michigan Road

The applicant seeks development plan and architecture, lighting, landscaping, and signage approval for a proposed 6,350-square foot restaurant.

The site is located at 9901 Michigan Road, zoned B-2, and is within the Michigan Road/US 421 Overlay District.

Filed by John Finnemore of Red Robin International, Inc.

Present for Petitioner: John Finnemore, Village Green Circle, Colorado, Red Robin International.

Motion for approval: Madeleine Torres, seconded by Carol Schleif, Approved 11-0

Disposition: Approved 11-0.

3I. Docket No. 06120004 Z: Armstrong Rezone

The applicant seeks to rezone property from S-1 to B-3.

The site is located at the NE corner o West 98th Street and Michigan Road (US 421) and is zoned S-1 within the US 421 Overlay.

Filed by Paul Reis of Bose McKinney & Evans LLP for Armstrong Family Charitable Trust and Guaranty Properties, Ltd.

Present for Petitioner: Steve Granner, zoning consultant with Bose McKinney & Evans, 301 Pennsylvania Parkway, Suite 300. Also in attendance: Aaron Boyle.

Public Remonstrance/Comments/Questions

Jean Brown, 3734 West 98th Street, noted drainage problems in the area, her property is currently flooded as well as most all septs in the area. Previous pleas for correcting the situation have been ignored to date and the residents would like some resolution before there is further construction in the area.

Note: Department will keep an open file until drainage situation is resolved by County Surveyor.

Motion: To forward to City Council with a positive recommendation: Rick Ripma, seconded by Madeleine Torres, Approved 11-0.

Disposition: Forwarded to City Council with a positive recommendation.

ADJOURNED at 7:15 PM